

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Zosimo Reyes Saenz,

Civil No. 08-602 (DWF/RLE)

Petitioner,

v.

**ORDER**

Warden Ricardo Rios,

Respondent.

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Zosimo Reyes Saenz, *Pro Se*, Petitioner.

Jeffrey S. Paulsen, Assistant United States Attorney, United States Attorney's Office,  
counsel for Respondent.

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Based upon the Report and Recommendation of Chief United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-entitled matter,

**IT IS HEREBY ORDERED** that:

1. The Petition for a Writ of Habeas Corpus (Doc. No. 1) is summarily **DISMISSED** for lack of jurisdiction.
2. The Petitioner's Motion Seeking Relief by Way of 2241 Habeas Corpus (Doc. No. 2) is **DENIED**.
3. The Petitioner's application for leave to proceed *in forma pauperis* (Doc. No. 3) is **DENIED**, as moot.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: March 26, 2008

s/Donovan W. Frank

DONOVAN W. FRANK

Judge of United States District Court